



# CHAPTER 16 SPECIAL LAND USES

## SECTION 16.01 SCOPE

This section provides a set of procedures and standards for special uses of land or structures which, because of their unique characteristics, require special consideration in relation to the welfare of adjacent properties and the community as a whole. The regulations and standards, herein, are designed to allow, on one hand, practical latitude for the applicant, but at the same time maintain adequate provision for the protection of the health, safety, convenience, and general welfare of Pine Township. For purposes of this Ordinance, all Special Land Uses within the various districts are subject to the conditions and standards of this Chapter. In addition, the following uses shall conform to the specific standards cited in Section 16.04, as applicable.

## SECTION 16.02 APPLICATION AND REVIEW PROCEDURES

- 1) An application shall be submitted through the **Township Clerk**, accompanied by:
  1. the payment of a fee as established by the Township Board;
  2. a completed application form, as provided by the Township; and
  3. a complete site plan as specified in Chapter 14.
- 2) Applications for a Special Land Use shall be submitted at least thirty (30) days prior to the next Planning Commission meeting.
- 3) The application, along with the required site plan, shall be forwarded to the Planning Commission at its next regular meeting.
- 4) The Planning Commission shall hold a public hearing on the application, providing the notice of such hearing in accordance with the Zoning Act. The Planning Commission shall then review the application and such other information available to it through the public hearing or from any other sources, including recommendations or reports from the Township planner, engineer, or other party, and shall recommend to the Township Board to approve, approve with conditions, or deny the request.
- 5) The Township Board shall then review the Special Land Use Request and all pertinent information. The Board shall then approve, approve with conditions, or deny the request. The basis for the decision and any conditions which should be imposed shall be incorporated into the record.



- 6) No petition for Special Land Use approval which has been disapproved shall be resubmitted for one (1) year from the date of disapproval, except as may be permitted after learning of new and significant facts or conditions which might result in favorable action upon resubmittal.
- 7) A Special Land Use approved pursuant to this Chapter shall be valid for one (1) year from the date of approval. Each development shall be under construction within one (1) year after the date of approval of the Special Land Use, except as noted below.

VIII. The Township Board may grant one (1) six (6) month extension of such time period, provided the applicant requests the extension prior to the date of the expiration of the Special Land Use approval.

IX. The extension shall be approved if the applicant presents reasonable evidence to the effect that said development has encountered unforeseen difficulties beyond the control of the applicant, and the project will proceed within the extension period.

X. If neither of the above provisions are fulfilled or the six (6) month extension has expired prior to construction, the Special Land Use approval shall be null and void.

11. The Board shall have the authority to revoke any Special Land Use approval after it has been shown that the holder of the approval has failed to comply with any of the applicable requirements of this Chapter, other applicable sections of this Ordinance, or conditions of the Special Land Use approval. Prior to any action, the Planning Commission shall conduct a public hearing with the notification procedures for the original approval.

### **SECTION 16.03 GENERAL STANDARDS**

In addition to the standards established for specific uses herein, an application for a Special Land Use shall be reviewed for compliance with the review standards for approval of site plans in Section 14.06 thereof, and conditions, as authorized in Section 14.07 may be placed upon a Special Land Use.

- Each application shall be reviewed for the purpose of determining that the proposed special land use meets the following standards and, in addition, that each use of the proposed site will:



- be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed;
  - be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities;
  - not create excessive additional requirements at public cost for public facilities and services; and
  - not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
- The Township Board may stipulate such additional conditions and safeguards deemed necessary to accomplish the following purposes. Failure to comply with such conditions may result in the revocation of the Special Land Use approval, pursuant to Section 16.02, G. Conditions imposed shall be those necessary to:
    1. meet the intent and purpose of the Zoning Ordinance,
    - relate to the standards established in the Ordinance for the land use or activity under consideration,
    3. insure compliance with those standards,
    4. protect the general welfare,
    5. protect individual property rights, and
    6. ensure that the intent and objectives of this Ordinance will be observed.

**SECTION 16.04 SPECIAL LAND USE SPECIFIC REQUIREMENTS**

The general standards and requirements of Section 16.03, A, are basic to all Special Land Uses. The specific and detailed requirements set forth in the following Section relate to particular uses and are requirements which must be met by those uses in addition to the foregoing general standards and requirements.

- Adult uses.
- Agricultural labor housing.
- Airports.
- Auto wash establishments.
- Automobile service stations and automobile repair (minor) facilities, including the selling of convenience goods, but not including body

- shops.
- Bed and breakfast establishments.
  - Body shop, automobile repair (major).
  - Bowling alleys.
  - Bulk oil, propane, and gasoline storage and distribution.
  - Chemical or fertilizer distribution, for agricultural purposes.
  - Commercial kennels.
  - Commercial storage warehouses.
  - Country clubs, golf courses, riding stables, and publicly owned athletic grounds and parks.
  - Funeral homes and mortuary establishments.
  - Greenhouses and nurseries, including retail operations.
  - Group and commercial day care homes and facilities.
  - Home Based Businesses
  - Reserved for future use.
  - Junk yards.
  - Machine shop.
  - Marinas.
  - Multiple family dwellings.
  - Open air businesses.



- Private resorts and rental cabins.
- Public or private boat launches.
- Public or private campgrounds.
- Radio and television transmitting buildings and related towers exceeding one-hundred (100) feet in height or Towers in excess of fifty (50) feet in height for Commercial Wireless Telecommunication Services.
- Removal and processing of topsoil, stone, rock, sand, gravel, lime, or other soil or mineral resources.
- Restaurants, including drive-through facilities.
- Retail building supplies.
- Retail stores, providing goods within a completely enclosed building greater than 8,000 square feet.
- Roadside stands.
- Sawmills.
- HH. Schools, churches, libraries, and community center buildings.
- II. Transfer stations.
- JJ. Truck and freight terminals.
- KK. Two-family dwellings.
- LL. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- MM. Veterinary hospitals and animal clinics.
- NN. Wholesale sales.

1. Adult Uses.

1. In the development and execution of this subsection, it is recognized that there are some uses which, because of their very nature, have serious objectionable operational characteristics, particularly when several are concentrated in certain areas, or when located in proximity to a Residential District, thereby having a detrimental effect upon the adjacent areas. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These controls of this subsection are for the purpose of preventing a concentration of these uses within any one area, or to prevent deterioration or blighting of a nearby residential or other neighborhood. These controls do not legitimize activities which are prohibited in other Sections of the Zoning Ordinance.

1. Adult uses shall comply with the following requirements:

1. The use shall not be located within a 1,000 foot radius of



any other such use or public library, public or private school, playground, play field, park, church, or hospital.

1. All persons massaging any client or customer must be certified as a massage therapist by the American Massage Therapy

Association or be a graduate of a School of Massage Therapy that is certified by the State of Michigan, or have such other similar qualifications which must be submitted to and approved by the Township Board. All massage clinics are subject to inspection from time to time by the Building Inspector and shall be required to file reports as may be required by the Township, at least annually, as to the names and qualifications of each person who administers massages under the authority or supervision of the massage establishment. This definition shall not be construed to include a hospital, nursing home, medical clinic, or the office of a physician, surgeon, chiropractor, osteopath, or physical therapist duly licensed by the State of Michigan, nor barber shops or beauty salons in which massages are administered only to the scalp, face, neck, or shoulder.

1. Establishments where uses subject to the control of this subsection are located shall not be expanded in any manner without first applying for and receiving the approval of the Township Board, as provided herein.
1. Any sign or signs proposed for the adult use business must comply with the requirements of this Ordinance, and shall not include photographs, silhouettes, drawings, or pictorial representations of any type, nor include any animated illumination or flashing illumination.
1. Signs must be posted on both the exterior and interior walls of the entrances, in a location which is clearly visible to those entering or exiting the business, and using lettering which is at least two (2) inches in height, that:
  1. “Persons under the age of 18 years are not permitted to enter the premises.”
  1. “No alcoholic beverages of any type are permitted within the premises unless specifically allowed pursuant to a license duly issued by the Michigan Liquor Control Commission.”



1. No product for sale or gift, nor any picture or other representation of any product for sale or gift, shall be displayed so that it is visible by a person of normal visual acuity from the nearest adjoining roadway or adjoining property.
1. No adult use shall be open for business prior to ten o'clock a.m., nor after ten o'clock p.m. However, employees or other agents, or contractors of the business are permitted to be on the premises at other hours for legitimate business purposes such as maintenance, clean-up, preparation, record keeping, and similar purposes.

**B. Agricultural Labor Housing.**

1. Seasonal Farm Labor Dwellings.
  1. Such dwellings shall be for farm laborers, and their immediate families. The dwellings may not be used for members of the immediate family of the owner/operator of the farm.
  1. Each dwelling must be at least seven hundred twenty (720) square feet in area, and a minimum of twenty (20) feet in width across any front, side, or rear elevation. Each sleeping room must comply with any applicable County Building Codes.
  1. Each additional Seasonal Farm Labor Dwelling, after the first three (3), must be applied for separately.
  1. The dwellings may not be located closer than fifty (50) feet to any property line, and no closer than ten (10) feet to any other building on the parcel.
  1. Off-street parking is required, and shall comply with the requirements for dwellings in this Ordinance.
  1. Such dwellings shall be occupied no longer than seven (7) months in any one (1) calendar year.
1. Permanent Farm Labor Dwellings.
  1. Such dwellings shall be for farm laborers, and their immediate families.
  1. Each dwelling must be at least eight (800) square feet in area. Each sleeping room must comply with any applicable County Building Codes.
  1. Each Permanent Farm Labor Dwelling must be applied for separately.



1. The dwelling may not be located closer than fifty (50) feet to any property line, and no closer than twenty (20) feet to any other building on the parcel.
1. Off-street parking is required, and shall comply with the requirements for dwellings in this Ordinance.

Airports.

1. No more than four (4) aircraft may be regularly used, stored, sheltered, or supplied by owner or owners at the airport, and no more than two (2) visiting aircraft may be used, stored, sheltered, or supplied during any twenty-four (24) hour period. The site plan, as required in Chapter 14, shall contain the following additional information:



The location of any homes within two thousand (2,000) feet of the boundaries of the property on which the airport or airport expansion would be located.

The location and height of any trees, groups of trees, mounds of earth, buildings, or other structures within one thousand (1,000) feet of the proposed airport.

**Auto Wash Establishments.**

All washing activities must be carried on within a building.

Vacuuming activities may not be conducted in any required yard and shall take place a minimum of fifty (50) feet from any Residential District or use property line.

Sufficient space shall be provided to accommodate all vehicle queuing on the property, so no vehicles are required to wait on an adjoining street to enter the site.

**Automobile Service Stations and Auto Repair (Minor) Facilities, excluding body shops.**

Minimum lot width shall be two hundred (200) feet.

All buildings, structures, and equipment shall be located not less than one hundred (100) feet from any right-of-way line and not less than fifty (50) feet from adjacent residential structures. If the adjacent properties do not contain residential structures, said use shall have side and rear yards of one hundred (100) feet each.

No more than one (1) curb opening shall be permitted for every seventy-five (75) feet of frontage (or major fraction thereof) along any street, with a maximum of one (1) per street when located on a corner lot, and one (1) for any other street.

No drive or curb opening shall be located nearer than seventy-five (75) feet to any intersection nor more than twenty-five (25) feet to any adjacent Residential District property line. No drive shall be located nearer than fifty (50) feet, as measured along the property line, to any other driveway. A driveway shall not be permitted where, in the opinion of the Township Board, it may produce a safety hazard to adjacent pedestrian or vehicular traffic.

The entire lot, excluding the area occupied by a building, shall be hard-surfaced with a concrete or bituminous surface. All areas not paved or occupied by buildings or structures shall be landscaped.

All lubrication equipment, hydraulic hoists, and pits shall be enclosed entirely within a building. All gasoline pumps shall be located not less than fifty (50) feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or over-hanging any public sidewalk, street or right-of-way.

When adjoining residentially zoned property parking and storage areas shall be fenced and screened from the view of any abutting Residential District or use by a decorative fence or wall, or a landscaped equivalent.

All outside storage areas for trash, used tires, auto parts and similar items shall be enclosed by a six (6) foot sight-obscuring wall or fence. No such outside storage area shall exceed an area of two hundred (200) square feet. Outside parking of disabled, wrecked, or partially dismantled vehicles (not to exceed a maximum of five (5) such vehicles) shall not be permitted for a period exceeding ten (10) days.

The rental of trucks, trailers, and any other vehicles on the premises is expressly prohibited without specific approval by the Township Board. If such use is permitted, proper screening, landscaping, and additional parking area shall be provided in accordance with the requirements set forth by the Township Board.

The lot shall be located such that it is at least three hundred (300) feet from an entrance or exit to any property on which is situated a public library, public or private school, playground, play field, park, church or hospital.

All exterior lighting, including signs, shall be erected and hooded so as to shield the glare of such lights from view by adjacent property.

On a corner lot, both street frontages shall be subject to all the applicable front yard provisions of this Ordinance.

Where applicable, vehicle queuing space shall be provided in front of each service bay for at least two (2) vehicles.

#### Bed and Breakfast Establishments.

The establishment shall be serviced by approved water and sanitary sewer services.

The establishment shall be located on property with direct access to a paved public road.

Such uses shall only be established in a detached single family dwelling.



Parking shall be located to minimize negative impacts on adjacent properties.

The lot on which the establishment is located shall meet the minimum lot size requirements of the zone district.

The total number of guest rooms in the establishment shall not exceed five (5), plus one (1) additional guest room for each ten thousand (10,000) square feet or fraction thereof by which the lot area of the use exceeds one (1) acre, not to exceed a total of none (9) guest rooms.

Exterior refuse storage facilities beyond what might normally be expected for a detached single family dwelling shall be screened from view on all sides by a six (6) foot solid, decorative fence or wall.

12) One (1) sign shall be allowed for identification purposes. Such sign shall not exceed sixteen (16) square feet in area, and may not exceed four (4) feet in height. If illuminated, such illumination shall only be of an indirect nature; internally lighted signs are not permitted. Such sign shall be set back at least one-half (1/2) of the front yard setback area setback of the zoning district in which the use is located and shall be located at least fifteen (15) feet from any side or rear lot line.

The establishment shall contain the principal residence of the operator.

Accessory retail or service uses to a bed-and-breakfast establishment shall be prohibited, including but not limited to gift shops, antique shops, restaurants, bakeries, and other similar uses.

Meals may be served only to the operator's family, employees, and overnight guests.

Body Shop, Automobile Repair (Major).

The site shall be provided with suitable access to a paved County Primary road.

No portion of any storage area shall be located within fifty (50) feet of any Residential District or use property line.

Any outdoor storage area shall be completely enclosed by a fence or wall at least six (6) feet in height constructed of a sturdy, durable material and sufficiently opaque to ensure that the stored material/vehicles are not visible from outside the storage area. Said fence or wall shall be continuously maintained in good condition and shall contain only approved signs.

Materials stored outdoors shall not be stacked higher than ten (10) feet and shall be stored in a manner so as not to be visible from

adjoining properties or rights-of-way. In no case shall material be stored at a height exceeding the height of the storage area fence or wall.

The fence or wall enclosing the storage area shall meet the setback requirements applicable to a main building.

Conditions within the facility shall be controlled to minimize the hazards of fire and other threats to health and safety.

All portions of the facility shall be accessible to emergency vehicles. Vehicle parts shall not be stored, loaded, unloaded, or dismantled outside the fence enclosing the storage area.

The Township Board and Planning Commission may impose other conditions, such as greenbelts, landscaping, and other items, which have a reasonable relationship to the health, safety and general welfare of the Township.

#### Bowling Alley.

Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any Residential District or use.

Main buildings shall be set back a minimum of one-hundred (100) feet from any Residential District or use property line.

Access driveways shall be located no less than one hundred (100) feet from the nearest part of the intersection of any street or any other driveway.

#### Bulk Oil, Propane, and Gasoline Storage and Distribution.

The minimum lot size shall be two (2) acres.

The lot shall be located so that at least one (1) side abuts an arterial street and all access shall be from such arterial street.

The main and accessory buildings and any storage facilities shall not be located nearer than one hundred (100) feet to any adjacent residential district or use.

Proper containment facilities shall be constructed to ensure that accidental spills or ruptures will not cause the contamination of any groundwater source.

#### Chemical or fertilizer distribution, for agricultural purposes.



1. The lot shall be located so that at least one (1) side abuts an arterial street and all access shall be from such arterial street. The main and accessory buildings and any storage facilities shall not be located nearer than three hundred (300) feet to any adjacent residential district or use. Proper containment facilities shall be construed to ensure that accidental spills or ruptures will not cause the contamination of any groundwater resource.

#### Commercial Kennels.

1. No kennel shall be approved or operated on a parcel of less than one (1) acre.
2. No more than five (5) animals per acre.
3. Areas housing or exercising animals outdoors shall be located at least one hundred (100) feet from any property line or any adjacent Residential District or use.

#### Commercial Storage Warehouses.

Minimum lot area shall be two (2) acres.

A residence may be permitted on the premises for security personnel or on-site operator. The residence shall conform to the minimum requirements for a single-family detached dwelling in the LDR District.

One (1) parking space shall be provided for each ten (10) storage cubicles, equally distributed throughout the storage area. The parking requirement may be met with the parking lanes required for the storage area.

Two (2) parking spaces shall also be required for the residence of security personnel or on-site operator employed on the premises.

One (1) parking space shall also be required for every twenty (20) storage cubicles, up to a maximum of ten (10) spaces, to be located adjacent the rental office, for the use of customers.

Parking lanes and access aisles adjacent the individual storage facilities shall be required. The parking lanes may be eliminated when the access aisle does not serve storage cubicles.

All driveways, parking, loading, storage, and vehicular circulation areas shall be paved.

#### Country clubs, golf courses, riding stables, and athletic grounds.

The use shall be located on property with direct access to a public street.

Any outdoor activity areas shall be set back a minimum of fifty (50)

feet from any Residential District or use property line.

Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any Residential District or use.

Access driveways shall be located no less than fifty (50) feet from the nearest part of the intersection of any street or any other driveway.

Buildings housing animals, storage equipment, or other similar buildings shall be located at least fifty (50) feet from any lot line.

#### Funeral Homes and Mortuary Establishments.

Minimum lot area shall be one (1) acre with a minimum width of one hundred and fifty (150) feet.

A well designed and landscaped off-street vehicle assembly area shall be provided to be used in support of funeral procession activity. This area shall not obstruct internal circulation within the required off-street parking area or its related maneuvering space.

A caretaker's residence may be provided within the principal building.

The proposed site shall front upon a paved state trunkline, County Primary, or County Local street. All ingress and egress shall be from said thoroughfare.

#### Greenhouses and Nurseries, including Retail Operations.

1. Minimum lot width shall be two hundred (200) feet.

The Zoning Administrator may require a six (6) foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises.

All such businesses shall comply with all applicable Health Department regulations regarding sanitation and general health conditions.

4. The lot area used for parking for customers shall be hard-surfaced and the display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.

5. Ingress and egress shall be provided as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from the nearest part of any street intersection.

All lighting shall be shielded from adjacent residential areas.



- 7 The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the District.
- 8 All loading activities and parking areas shall be provided on the same premises (off-street).
- 9 The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.
- 10 No display area shall be located within ten (10) feet of a road right-of-way line.

Group and Commercial Day Care Homes and Facilities.

There shall be provided, equipped and maintained, on the premises, a minimum of one hundred and fifty (150) square feet of usable outdoor recreation area for each client of the facility.

The outdoor recreation area shall be fenced and screened from any abutting Residential District or use by a decorative fence or wall, or a landscaped equivalent.

Required off-street parking, as well as off-street pick-up and drop-off areas shall be provided.

The applicant shall provide evidence of the ability to comply with all applicable State licensing requirements.

Home Based Businesses (Home Based Business are permitted uses in the AP District, Special Land Uses otherwise).

The primary use of the property shall remain as a resident or customary farming operation. If the primary use ceases, the Home based Business shall also cease. .

A maximum of two persons who do not reside on the premises may be employed on site in connection with the Home Based Business . This does not preclude the use of additional employees who may be employed by the business but who work in locations off site..

No more than 33.3% of the total square footage of the residence may be converted to the home based business.

There shall be no visible evidence of the conduct of such home based business except as permitted by this section.

One non-illuminated sign of six square feet or less shall be allowed on the premises..

No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference at levels detectable at the property line in excess of those generally associated with a residence or customary farming operation.

The home based business shall not generate motor vehicle traffic in

excess of that generally associated with a residence or customary farming operation.

The number of motor vehicles dedicated exclusively for use in connection with the home based business shall be limited to one.

The outdoor storage or display of inventory, goods, materials, supplies, or equipment is permitted, as long as such items are sufficiently screened or located in an area so as not to be visible from other properties or public right of way. Only the outdoor display of a representative sample of products shall be allowed.

Only those goods or products produced by the home based business or related products shall be sold on the premises.

Off street parking shall be available for all visitors and employee(s).  
Reserved for Future Use.

#### Junk Yards.

Requests for a Special Land Use approval for establishment of a salvage or junk yard shall also require submission of a detailed proposal identifying the predominant type of salvage or junk to be received, the methods of separation and/or recycling, and ultimate destination of waste materials. The applicant shall be required to submit written materials outlining measures taken to comply with all necessary state, county, and local laws.

2. The site shall be provided with suitable access to a County Primary or State Trunkline to ensure safe, direct transport of salvage to and from the site.

No portion of the storage area shall be located within twenty (20) feet of any Residential District or use property line.

Any outdoor storage area shall be completely enclosed by a fence or wall at least six (6) feet in height constructed of a sturdy, durable material and sufficiently opaque to ensure that salvage is not visible from outside the storage area. The fence or wall shall have a minimum of two (2) non-transparent gates not exceeding forty-eight (48) feet in width providing access to the storage area for vehicles but shall not allow direct view of the storage area from adjacent properties or streets. Said fence or wall shall be continuously maintained in good condition and shall contain only approved signs.

Stored materials shall not be stacked higher than ten (10) feet and shall be stored in a manner so as not to be visible from adjoining properties or rights-of-way. In no case shall salvage or junk be stored at a height exceeding the height of the storage area fence or wall.

The fence or wall enclosing the storage area shall meet the applicable building setback requirements.



A management office shall be provided on site. A residence may be permitted for security personnel or on-site operator. Conditions within the storage area shall be controlled to minimize the hazards of fire and other threats to health and safety. All portions of the storage area shall be accessible to emergency vehicles. Vehicles or vehicle bodies shall be stored in rows with a minimum of twenty (20) foot continuous loop drives separating each row of vehicles. Salvaged batteries, oil and other such substances shall be removed by a licensed disposal company or be stored in a manner which prevents leakage of battery fluid. No fluids removed from vehicles shall be applied as a dust control method. Vehicle parts shall not be stored, loaded, unloaded, or dismantled outside the fence enclosing the salvage yard. Minimum site size for such facilities shall be six (6) acres. In order to protect surrounding areas, the crushing of vehicles or any part thereof shall be limited to daylight hours. The Township Board and Planning Commission may impose other conditions, such as greenbelts, landscaping, and other items, which have a reasonable relationship to the health, safety and general welfare of the Township. These conditions can include a provision for an annual inspection by the Zoning Administrator to ensure continuing compliance with the above standards.

Machine Shop.

1. There shall be a minimum lot width of two hundred (200) feet. Any main building shall be a minimum of one hundred (100) feet from a road/street right-of-way and a minimum of one hundred (100) feet from adjacent residential structures. If the adjacent properties do not contain residential structures, said use shall have side and rear yards of twenty-five (25) feet each. Any outside storage area shall not exceed two thousand (2,000) square feet in area and shall be screened from view on all sides by a six (6) foot solid, decorative fence or wall, or landscaped equivalent. Any portion of a building containing such use shall not have loading doors, windows, or other such openings facing an abutting Residential District or use. If such openings are present, they shall remain closed at all times while any part of the business is in operation.

#### Marinas.

- There shall be no above ground storage of gasoline, fuel oil, or other flammable liquids or gases.
- No building, structure, dock, or parking area which is part of marina or boat launch area shall be located closer than thirty five (35) feet to any residential lot line
- Parking facilities shall not be used for the overnight storage of boats, trailers, or other vehicles.

#### **V. Multiple Family Dwellings.**

- All dwelling units shall have a minimum of eight-hundred (800) square feet per unit, or as required by Section 6.04.
- Parking areas shall have a front yard setback of twenty (20) feet and side and rear yard setbacks of ten (10) feet.
- Access driveways shall be located no less than fifty (50) feet from the nearest part of the intersection of any street or any other driveway.
- Buildings shall not be constructed closer than a distance equal to one and one-half (1½) times the height of the taller building.
- Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any Residential District or use.

#### Open Air Businesses.

- Minimum lot area shall be one (1) acre.
- Minimum lot width shall be two hundred (200) feet.
- Except in the Agricultural Preservation District, the Township Board may require a six (6) foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises.
- All open air businesses shall comply with all applicable Health Department regulations regarding sanitation and general health conditions.
- The Township Board and Planning Commission may require the permittee to furnish a Surety Bond in accordance with this



Ordinance to insure strict compliance with any regulation contained herein and required as a condition of special land use approval.

The lot area used for parking shall be hard-surfaced and the display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.

Ingress and egress shall be provided as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from an intersection.

All lighting shall be shielded from adjacent residential areas.

In the case of a plant materials nursery:

- a. The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the District.
- b. All loading activities and parking areas shall be provided on the same premises (off-street).
- c. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.

No display area shall be located within ten (10) feet of a road right-of-way line.

Private Resorts and Rental Cabins.

Minimum lot area shall be two (2) acres and minimum lot width shall be two-hundred (200) feet.

Access driveways shall be located no less than fifty (50) feet from the nearest part of the intersection of any street or any other driveway.

Public or Private Boat Launches.

The boat launch site shall contain no more than one (1) ramp and be at least one (1) acre in size.

There shall be no above ground storage of gasoline, fuel oil, or other flammable liquids or gases.

No building, structure, dock, or parking area which is part of a boat launch area shall be located closer than thirty five (35) feet to any Residential District or use property line.

Parking facilities shall not be used for the overnight storage of boats, trailers, or other vehicles.

5.. A minimum of ten (10) parking spaces shall be provided. If, after evaluation of the site, it is found by the Township Board or Planning Commission that parking will be inadequate to satisfy user demand, the Township Board or Planning Commission shall reserve the right to require additional parking.

A seventy-five (75) - foot vehicle turn-around shall be provided.

#### Public or Private Campgrounds.

Minimum lot size shall be three (3) acres. Vehicular access to the campground must be provided directly from a public street. The term lot shall mean a campground or travel trailer park.

Public stations, housed in all-weather structures, containing adequate water outlet, waste container, toilet and shower facilities shall be provided.

No commercial enterprise shall be permitted to operate on the lot, except that a convenience shopping facility may be provided on a lot containing more than eighty (80) sites. Such convenience store, excluding laundry and similar ancillary uses, shall not exceed a maximum floor area of one thousand (1,000) square feet.

Each lot shall provide hard-surfaced, dust-free vehicle parking areas for site occupant and guest parking. Such parking area shall be located within four hundred (400) feet of the site it is intended to serve (except in the case of sites specifically designated only for tent camping).

Each site shall contain a minimum of one thousand five hundred (1,500) square feet. Each site shall be set back at least seventy five (75) feet from any public or private right-of-way or



property line.

6. Each travel trailer site shall have direct access to a hard-surfaced, dust-free roadway of at least twenty four (24) feet in width for two-way traffic and twelve (12) feet in width for one-way traffic. Parking shall not be allowed on any roadway. Sites specifically designated for, and only used for, tent camping, need not have direct vehicular access to any street or road.

Any open drainage ways must have seeded banks sloped at least 3:1 and designed to properly drain all surface waters into the County drain system, subject to approval by the Drain Commissioner of Montcalm County.

All sanitary facilities shall be designed and constructed in strict conformance to all applicable County health regulations.

A minimum distance of fifteen (15) feet shall be provided between all travel trailers and tents.

**AA. Radio and Television Transmitting Buildings and Related Towers exceeding one-hundred (100) feet in height or Towers in excess of fifty (50) feet in height for Commercial Wireless Telecommunication Services.**

Antennas shall be required to locate on any existing approved tower within a three (3) mile radius of the proposed tower unless one (1) or more of the following conditions exists:

The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and registered professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.

The planned equipment would cause interference materially affecting the usability of other existing or planned



equipment at the tower or building as documented by a qualified and registered professional engineer and the interference cannot be prevented at a reasonable cost.

Existing or approved towers and buildings within a three (3) mile radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and registered professional engineer.

Other unforeseen reasons that make it infeasible to locate the planned equipment upon an existing tower or building.

2. Any proposed tower shall be designed, structurally, electrically, and in all other respects, to accommodate both the applicant's equipment and comparable equipment for at least two (2) additional users. Towers must be designed to allow for future rearrangement of equipment upon the tower and to accept equipment mounted at varying heights.
3. Towers shall be designed to blend into the surrounding environment through the use of color and architectural treatment, except in instances where color is dictated by other state or federal authorities. Towers shall be of a monopole design unless the Township Board determines that an alternative design would better blend into the surrounding environment.
4. Any part of the structures or equipment placed on the ground pertaining to the tower for Commercial Wireless Telecommunication Services shall comply with the following setbacks: